



General Assembly

January Session, 2003

**Amendment**

LCO No. 6373

\*HB0656706373HD0\*

Offered by:

REP. MUSHINSKY, 85<sup>th</sup> Dist.

REP. TYMNIAK, 133<sup>rd</sup> Dist.

REP. THOMPSON, 13<sup>th</sup> Dist.

REP. HAMM, 34<sup>th</sup> Dist.

SEN. COOK, 18<sup>th</sup> Dist.

To: Subst. House Bill No. 6567

File No. 621

Cal. No. 425

**"AN ACT CONCERNING THE AGE OF A CHILD FOR PURPOSES  
OF JURISDICTION IN JUVENILE MATTERS."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec 501. Section 46b-150g of the general statutes is repealed and  
4 the following is substituted in lieu thereof (*Effective October 1, 2003*):

5 (a) Any police officer who receives a report from the parent or  
6 guardian of a youth in crisis [, as defined in section 46b-120, may] shall  
7 attempt to locate the youth in crisis. If the officer locates such youth in  
8 crisis, such officer [may] shall report the location of the youth to the  
9 parent or guardian in accordance with the provisions of federal and  
10 state law after such officer determines that such report does not place  
11 the youth in any physical or emotional harm. In addition, the police

12 officer [may] shall respond in one of the following ways: (1) Transport  
13 the youth in crisis to the home of the child's parent or guardian or [any  
14 other person] a suitable and worthy adult; (2) refer the youth in crisis  
15 to the superior court for juvenile matters or the probate court in the  
16 district where the youth in crisis is located; (3) hold the youth in crisis  
17 in protective custody for a maximum period of twelve hours until the  
18 officer can determine a more suitable disposition of the matter,  
19 provided (A) the youth in crisis is not held in any cell designed or used  
20 for adults, and (B) the officer [may] does not release the youth in crisis  
21 [at any time without taking further action] to the parent or guardian of  
22 the youth in crisis during such twelve-hour period; or (4) transport or  
23 refer a youth in crisis to any public or private agency serving children,  
24 with or without the agreement of the youth in crisis. If a youth in crisis  
25 is transported or referred to an agency pursuant to this section, such  
26 agency shall provide temporary services to the youth in crisis unless or  
27 until the parent or guardian of the youth in crisis at any time refuses to  
28 agree to those services.

29 (b) Any police officer acting accordance with the provisions of this  
30 section shall be deemed to be acting in the course of the police officer's  
31 official duties.

32 (c) A probate court judge who receives a referral from a police  
33 officer pursuant to subdivision (2) of subsection (a) of this section may  
34 assign such referral to an attorney, who shall act as a mediator with  
35 respect to such referral.

36 (d) Any probate judge who receives a referral from a police officer  
37 pursuant to subdivision (2) of subsection (a) of this section shall report  
38 quarterly to the Probate Court Administrator regarding the number of  
39 cases referred, the number of cases accepted, the types of services  
40 provided and the cost of services relating to such cases. No personally  
41 identifying information shall be contained in reports made to the  
42 Probate Court Administrator pursuant to this subsection.

43 (e) The Probate Court Administrator may provide for the training of

44 probate court judges to allow such judges to assess and assist families  
45 seeking court services, to assess local support and treatment services  
46 for families and to coordinate with the Chief Court Administrator  
47 regarding the implementation of procedures to assist children  
48 requiring additional intervention of the court system.

49 Sec. 502. Section 46b-149b of the general statutes is repealed and the  
50 following is substituted in lieu thereof (*Effective October 1, 2003*):

51 (a) Any police officer or any official of a municipal or community  
52 agency, who in the course of [his] such police officer's or official's  
53 employment under subsection (d) of section 17a-15 or section 46b-120,  
54 46b-121, 46b-149, 46b-149a, 46b-150f, as amended by this act, or 46b-  
55 150g, as amended by this act, provides assistance to a child or a family  
56 in need thereof, shall not be liable to such child or such family for civil  
57 damages for any personal injuries which result from the voluntary  
58 termination of service by the child or the family.

59 (b) Each municipal police department and the Division of State  
60 Police within the Department of Public Safety shall implement a  
61 uniform protocol for providing intervention and assistance in matters  
62 involving children thirteen years of age or older who are members of  
63 families with service needs. Such uniform protocol shall be developed  
64 by the Police Officer Standards and Training Council established  
65 under section 7-294b.

66 Sec. 503. Section 46b-150f of the general statutes is repealed and the  
67 following is substituted in lieu thereof (*Effective October 1, 2003*):

68 (a) Any selectman, town manager, police officer or welfare  
69 department of any town, city or borough, any probation officer, any  
70 superintendent of schools, any child-caring institution or agency  
71 approved or licensed by the Commissioner of Children and Families,  
72 any youth service bureau, a parent or foster parent of a youth, or a  
73 youth or the attorney or other representative of such youth, who  
74 believes that the acts or omissions of a youth are such that such youth  
75 is a youth in crisis may file a written complaint setting forth those facts

76 with the Superior Court which has venue over [that] the matter.

77 (b) A petition alleging that a youth is a youth in crisis shall be  
78 verified and filed with the Superior Court which has venue over the  
79 matter. The petition shall set forth plainly: (1) The facts which bring  
80 the youth within the jurisdiction of the court; (2) the name, date of  
81 birth, sex and residence of the youth; (3) the name and residence of the  
82 parent or parents, guardian or other person having control of the  
83 youth; and (4) a prayer for appropriate action by the court in  
84 conformity with the provisions of this section.

85 (c) Upon determination that a youth is a youth in crisis in  
86 accordance with policies established by the Chief Court Administrator,  
87 the court may make and enforce orders, including, but not limited to,  
88 orders: [(1) Prohibiting the youth in crisis from driving a motor vehicle  
89 for a time determined by the court;] (1) Directing the Commissioner of  
90 Motor Vehicles to suspend the motor vehicle operator's license of the  
91 youth in crisis for a period of time specified in the regulations adopted  
92 pursuant to section 504 of this act; (2) requiring work or specified  
93 community service; (3) mandating that the youth in crisis attend an  
94 educational program in the local community approved by the court;  
95 [and] (4) requiring mental health services; (5) placing the youth in  
96 crisis on probation; (6) prohibiting the youth in crisis from being  
97 eligible for adjudication as a youthful offender pursuant to sections 54-  
98 76b to 54-76o, inclusive; and (7) prohibiting the youth in crisis from  
99 being eligible for participation in the pretrial program for accelerated  
100 rehabilitation under section 54-56e. A youth in crisis found to be in  
101 violation of any order under this section shall not be considered to be  
102 delinquent and shall not be punished by the court by incarceration in  
103 any state-operated detention facility or correctional facility.

104 (d) The Judicial Department may use any funds appropriated for  
105 purposes of this chapter for costs incurred by the department or the  
106 court pursuant to this section.

107 Sec 504. (NEW) (*Effective October 1, 2003*) The Commissioner of

108 Motor Vehicles shall adopt regulations, in accordance with the  
109 provisions of chapter 54 of the general statutes, setting forth the length  
110 of suspension and number of points chargeable against the operator's  
111 license of a youth in crisis for whom the court has ordered a license  
112 suspension under subsection (c) of section 46b-150f of the general  
113 statutes, as amended by this act."